REMARKS

Claims 13 and 14 have been amended. The Specification has been amended. The Drawings have been amended to include new sheet Fig. 2. No new matter has been added.

Claims 13 to 24 are now pending. Applicants respectfully request reconsideration of the present application in view of this response.

Drawings

The Drawings were objected to for allegedly not showing all of the features claimed in the claims. Applicants respectfully submit that Fig. 1 does show some of the various exemplary embodiments of the flow of switching and organization of the telecommunication network. Specifically, for example, Fig. 1 shows a telecommunications network 1 which includes a multitude of switching centers 2. The actual variations of the organization of such is explained with reference to the Figure in the Specification at page 10, line 22 to page 11, line 13. In addition, the use of other telecommunication networks 3, 4 are shown in Fig. 1 and described in the accompanying text in the Specification. No new matter has been added.

The Specification has been amended to include a description of new Fig. 2. No new matter has been added.

Acceptance of the Drawings and Specification amendments is respectfully requested. The withdrawal of the objection to the Drawings is respectfully requested.

35 U.S.C. § 103(a)

Claims 13 to 20, 23, and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Publication No. 2003/0133407A1 to Segev ("Segev reference") in view of U.S. Patent Publication No. 2004/0010588A1 to Slater ("Slater reference").

The Segev reference purportedly concerns a series of steps to support a changing volume of a voice-grade traffic in an access network having a local exchange with a limited capacity. The Segev reference recites that the first step is to provide two or more access networks such that each having its subscribers and its associated local exchange with a limited capacity; each of the access networks is capable of dividing traffic, outgoing from its subscribers, into the voice-grade traffic portion and data traffic portion, and capable of directing the data traffic portion to a packet network while directing the voice-grade traffic portion to a PSTN network via the associated local exchange. The Segev reference further recites that "there should be defined an overload condition of a local exchange as a condition when traffic there-through equals to a predetermined threshold, and a normal load condition of the local exchange when traffic there-through is below the predetermined threshold." The Segev reference then refers to detecting the overload condition on one local exchange, finding a remaining one of the local exchanges being in the normal load condition, and then partially diverting the voice-grade traffic intended for the local exchange and passing the

diverted voice-grade traffic to its destination via the packet network and the local exchange, thereby reducing volume of the voice-grade traffic.

The Slater reference purportedly concerns serving out video over a network of video servers. Specifically, the Slater reference recites a method of "serving out video over a network of video servers which includes evaluating a capacity of the network as a whole to serve out specific video items by establishing, for each video server in the network, an established ability of each server to serve out the specific items that are potentially servable from each video server." The Slater reference further refers to using the established abilities of each video server to evaluate an overall capability of the network as whole to serve out each of the specific video items.

In contrast, claim 13 is directed to a method for at least one of operating and organizing at least one telecommunication network and requires providing software for at least one of organizing and implementing at least one of a switching of telecommunication connections and services running in a central server of the at least one telecommunication network, in the event of insufficient switching capacity of the network-internal switching centers, at least one of at least transmitting intermittently software to at least one additional server of at least one additional selectable telecommunication network and activating software therein at least intermittently, in particular in order to increase the switching capacity. Neither the Segev nor Slater references, and thus the combination of such references, teach or suggest a method in which software for organizing and/or implementing switching and/or services as claimed is transmitted intermittently to an additional server of an additional selected telecommunication network or in which software existing in such server is activated at least intermittently in order to increase the switching capacity. Accordingly, claim 13 as amended is believed allowable and withdrawal of the rejection is respectfully requested.

Claims 14 to 20 and 23 depend from claim 13 and are allowable for at least the same reasons. Claim 24 recites features analogous to those of claim 13 and is allowable for essentially the same reasons. Withdrawal of the rejection of those claims is respectfully requested.

Claim 21 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Segev and Slater references in view of U.S. Patent No. 6,885,874 to Grube ("Grube reference"). Claim 21 depends from claim 13, and is allowable over the Segev and Slater references for the same reasons. The Grube reference does not cure the deficiencies of the Segev and Slater references. Accordingly, withdrawal of the rejection of claim 21 is respectfully requested.

Claim 22 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Segev and Slater references in view of U.S. Patent No. 6,128,738 to Doyle et al. ("Doyle reference"). Claim 22 depends from claim 13, and is allowable over the Segev and Slater references for the same reasons. The Doyle reference does not cure the deficiencies of the Segev and Slater references. Accordingly, withdrawal of the rejection of claim 22 is respectfully requested.

Accordingly, it is respectfully submitted that the cited references, taken alone or in combination (even though it is believed that they are not all properly combinable together), do not render obvious all of the features of claims 13 to 24. Applicant respectfully believes that claims 13 to 24 should be allowed.

CONCLUSION

In view of the foregoing amendment and remarks, it is believed that the objection to the Drawings has been overcome, and that the rejections under 35 U.S.C. § 103(a) have been obviated, and that claims 13 to 24 are allowable. It is therefore respectfully requested that the rejections be withdrawn, and that the present application issue as early as possible.

Applicant's representative readily welcomes telephonic contact with the Examiner in an effort to further the present application towards allowance and issuance.

Respectfully submitted,

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